

By Williamson

H.B. No. 643

A BILL TO BE ENTITLED

AN ACT

relating to the delivery of certain interagency mail.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 11.02, State Purchasing and General Services Act (Article 601b, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 11.02. DELIVERY OF CERTAIN INTERAGENCY MAIL. (a) The commission shall operate a messenger service for handling the delivery of ~~[unstamped]~~ written communications and packages between state agencies, including the legislature and legislative agencies, located in Travis County. All such agencies shall utilize the service which shall not charge a fee to the sending agency or the receiving agency.

(b) Unless use of the United States Postal Service is required by state or federal law, a state agency in Travis County subject to Subsection (a) of this Section ~~[section]~~ may not use the United States Postal Service for delivery of written communications and packages ~~[interagency-mail]~~ to another state agency in Travis County; ~~[7]~~ provided, however, that state agencies subject to Subsection (a) are not prohibited from using an alternative, private-sector delivery method for unusual circumstances which cannot be accomodated by the commission.

(c) Should convincing evidence be presented to the State Auditor showing one or more examples of violating the requirements set forth

1 in either Subsection (a) or Subsection (b) of this Section, a penalty  
2 of double the amount of United States postage found on the item in  
3 question shall be assessed against the sending agency. The sending  
4 agency shall remit to the General Fund of the State of Texas the  
5 amount of penalty within thirty calendar days of the finding of  
6 violation unless said amount is less than \$5.00 in which event the  
7 sending agency shall have not more than ninety calendar days to make  
8 such payment to allow for consolidation with any other violations  
9 that agency may have made.

10 (d) ~~{e}~~ State warrants may be delivered upon agreement  
11 between the state comptroller, the commission, and the agency  
12 concerned.

13 (e) ~~{d}~~ Mail that has been, or lawfully will be, processed  
14 by the United States Postal Service ~~[mail]~~ may be delivered to and  
15 taken from the designated mailrooms ~~[post-office]~~ located in the  
16 various buildings within the capitol complex in Travis County upon  
17 ~~[en]~~ agreement of the commission and the agency concerned.

18 (f) ~~{d}~~ It is the policy of the state government ~~[intent-of~~  
19 ~~the-legislature]~~ that mail to be processed by the United States  
20 Postal Service or some alternative, private-sector service be  
21 processed for delivery as expeditiously as its priority dictates  
22 and that mail matter not be unduly delayed solely for the purpose  
23 of achieving a lower cost ~~[rate-of-postage]~~.

24 (g) ~~{e}~~ In order to improve state agency management of mail  
25 operations and to reduce the state's mail costs, this Section ~~[Act]~~  
26 requires that ~~[state]~~ agencies of the executive branch of state  
27 government established by the constitution or laws ~~[statutes]~~ of

1 this state:

2 (1) evaluate their mail operations to identify and eliminate  
3 practices resulting in excessive mailing costs; and

4 (2) develop and implement plans and programs for making the  
5 necessary improvements in such operations.

6 (h) [~~f~~] Not later than January 1, 1990, the State Purchasing  
7 and General Services Commission shall:

8 (1) evaluate the mail operations of agencies located in  
9 Travis County to make recommendations to identify and eliminate  
10 practices resulting in excessive mailing costs; and

11 (2) establish minimum mail-management objectives and  
12 responsibilities to be carried out by offices and units of these  
13 agencies.

14 (i) [~~g~~] Not later than April 1, 1990, the State Purchasing  
15 and General Services Commission shall develop and submit to the  
16 governor and the legislative budget office a mail-management plan  
17 which provides for:

18 (1) improving the measurement of agency mail costs, in  
19 conjunction with the United States Postal Service, including  
20 considering the use of postage meters or stamps;

21 (2) determining the advantages to agencies of using mail  
22 presorting programs;

23 (3) determining the lowest cost class of mail necessary  
24 to effectively accomplish individual agency functions;

25 (4) evaluating the cost-effectiveness of using alternatives  
26 to the United States Postal Service for the delivery of agency mail;  
27 and

1           (5) training agency personnel regarding cost-effective  
2 mailing practices.

3           (j) [~~h~~] The State Purchasing and General Services Commission  
4 shall:

5           (1) establish programs to implement the plan prepared  
6 under Subsection (i) [~~g~~] of this Section [~~section~~], including  
7 standards for receipt, delivery, collection, and dispatch of mail;  
8 and

9           (2) publish and disseminate mail-management standards,  
10 guides, and instructions and establish and implement procedures for  
11 monitoring compliance with such standards, guides, and instructions.

12          (k) [~~i~~] State agencies in Travis County shall:

13          (1) periodically submit to the governor and the legislative  
14 budget office reports of their progress in achieving the objectives  
15 and other revisions of the plan required by Subsection (i) [~~g~~] of  
16 this Section [~~section~~], including an analysis of savings projected  
17 from the improvements in mail management provided for in such revised  
18 plan;

19          (2) designate a person to be responsible for the development  
20 and implementation of mail-management programs for all offices and  
21 units of the agency; and

22          (3) review and consolidate mailing lists used by the agency  
23 to distribute publications and other materials issued by the agency.

24          (l) [~~j~~] When two or more state agencies are providing common  
25 services for mail management, those agencies may designate a single  
26 agency to report on behalf of all agencies participating under the  
27 contract.

1       SECTION 2.   This Act takes effect September 1, 1991.

2       SECTION 3.   The importance of this legislation and the crowded  
3   condition of the calendars in both houses create an emergency and  
4   an imperative public necessity that the constitutional rule requiring  
5   bills to be read on three several days in each house be suspended,  
6   and this rule is hereby suspended.

**H. B. No.**

By

**AN ACT**

relating to the delivery of certain interagency mail.

JAN 29 1991

**1. Filed with the Chief Clerk.**

FEB 11 1991

2. Read first time and Referred to Committee on

STATE AFFAIRS

3. Reported \_\_\_\_\_ favorably (as amended) (as substituted) and sent to Printer at \_\_\_\_\_

4. Printed and distributed at \_\_\_\_\_

5. Sent to Committee on Calendars at \_\_\_\_\_

6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting).

7. Motion to reconsider and table the vote by which H.B. \_\_\_\_\_ was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting.

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote of \_\_\_\_\_ years, \_\_\_\_\_ days, \_\_\_\_\_ present, not voting).

**10. Caption ordered amended to conform to body of bill.**

11. Motion to reconsider and table the vote by which H. B. \_\_\_\_\_ was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

12. Ordered Engrossed at \_\_\_\_\_

**13. Engrossed.**

14. Returned to Chief Clerk at \_\_\_\_\_

**15. Sent to Senate.**

**Chief Clerk of the House**

### 16. Received from the House

17. Read, referred to Committee on \_\_\_\_\_

**18. Reported favorably**

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

## 21. Regular order of business suspended by

(a viva voce vote.)

(\_\_\_\_\_ years, \_\_\_\_\_ days.)

\_\_\_\_\_ 22. To permit consideration, reading and passage, Senate and Constitutional Rules  
suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

\_\_\_\_\_ 23. Read second time \_\_\_\_\_ passed to third reading by:  
(a viva voce vote.)  
( \_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

\_\_\_\_\_ 24. Caption ordered amended to conform to body of bill.

\_\_\_\_\_ 25. Senate and Constitutional 3-Day Rules suspended by vote of \_\_\_\_\_ yeas,  
\_\_\_\_\_ nays to place bill on third reading and final passage.

\_\_\_\_\_ 26. Read third time and passed by  
(a viva voce vote.)  
( \_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

OTHER ACTION: OTHER ACTION:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_ 27. Returned to the House.

\_\_\_\_\_ 28. Received from the Senate (with amendments.)  
(as substituted.)

\_\_\_\_\_ 29. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record  
(Substitute) Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present,  
not voting).

\_\_\_\_\_ 30. Conference Committee Ordered.

\_\_\_\_\_ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record  
Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

\_\_\_\_\_ 32. Ordered Enrolled at \_\_\_\_\_